IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11524 of 2000
with
SPECIAL CIVIL APPLICATION No.11525 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL
and
Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

GERATPUR BHAGYALAXMI CO-OP HOUSING SOCIETY LTD

Versus

STATE OF GUJARAT

Appearance:
MR JAYESH M PATEL for Petitioner
MR DN PATEL for Respondent No.1.
Mr. Pujara for respondent no.2

CORAM : MR.JUSTICE B.C.PATEL
and
MR.JUSTICE R.R.TRIPATHI

Date of decision: 13/11/2000

COMMON ORAL JUDGEMENT (Per : MR.JUSTICE B.C.PATEL)

Rule. Mr.D.N. Patel, learned Assistant Govt. Pleader and Mr.Pujara, learned advocate waive service of rule on behalf of respondents nos.1 and 2 respectively.

2. Both these petitions are filed on oath by the respective petitioners. In para 15 of each of the memo

of petitions, it is stated that :

> "The petitioner says that as submitted hereinabove, the process of providing fire fighting system is in progress and the petitioner society expects that the said system would become operational within a period of one month. The petitioner, however, undertakes to this Honorable Court that in any case, the fire fighting system would be made operational latest within a period of two months; and that if there is any difficulty, the petitioner would report the matter to this Honorable Court in the meanwhile."

2. Mr.Patel, learned advocate states that the amount has been collected and has been paid to the supplier and there will be no difficulty whatsoever in installation of the system. In view of this, we direct the respondent authorities not to disconnect the essential
the ground that the fire fighting system is not provided. It would be open to take action on any other ground, if permissible under law.

3. Ahmedabad Urban Development Authority to make a report after period of two months. If Fire Safety System is not provided within the time stipulated, it would be for the AUDA to implement the earlier order without fail.

4. Both the petitions stand disposed. Rule is made absolute to the aforesaid extent.

(B.C. Patel, J.)

13th November 2000 (Ravi R. Tripathi, J.)

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